

# PUBLIC SUBMISSION

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Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Internal Claims and Appeals and External Review Processes Under the Patient Protection and Affordable Care Act

**Comment On:** EBSA-2010-0019-0002

Group Health Plans and Health Insurance Issuers: Internal Claims and Appeals and External Review Processes

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## General Comment

On behalf of LawHelp/NY, I wish to comment on the 10% threshold for translation and oral interpretation of private plan materials in the internal review and appeals contexts. We administer New York's premier legal referral and information website for low-income New Yorkers. Through our work with New York's LEP community we have seen first hand the large access to justice gap that many LEP clients fall into. The 10% standard is far too high. A more appropriate standard would be "5% of the plan's population or 500 persons in plan's service area" for large group plans, and 25% of population for small plans. Oral interpretation should be provided in all languages at all times.